

**EASTPORT CITY COUNCIL  
CITY COUNCIL MEETING**

**WEDNESDAY, FEBRUARY 9<sup>TH</sup>, 2022  
SHEAD HIGH SCHOOL – LIBRARY - 6:00 P.M.**

**City Officials In Attendance:** Councilor Floyd “Bub” Andrews, Jr., Councilor Ross Lawrence, Councilor David Oja, Councilor Jeanne Peacock, and Council President, William “Billy” Boone. Also present were City Manager, Kate Devonshire, City Clerk, Ella Kowal, and Legal Counsel, Dennis Mahar.

**Other Attendees:** Paul Terrill, Rayette Cooper, Jeremy Cooper, Jeanne Pegrum, Mark Wigley, Joan Lowden, Sarah Gormady, Melissa Lawrence, Jose Arroyo, Claudia deVries Arroyo, Kelly Forfa, David Grieco, Robert Scott, Carolina Castello, Wayne Tripp/QT, Nadine Nemec, and Birdy Velveteen.

**I. CALL to ORDER**

Council President called the meeting to order at 6:02 p.m.

**II. ADJUSTMENT(S) to AGENDA**

**MOTION PEACOCK SECOND OJA (PASSED 5-0)**

To approve an adjustment to the Consent Agenda under Item D to **add** the appointment of *Manuel Moreno* to the *Economic Development Committee*; to **add** under Item III Unfinished Business of the regular agenda “*Action from Executive Session*”; to add the appointment of *Paul Terrill* to the *Parks and Recreation Committee* on the Consent Agenda under Item D; and to also **add** to the regular agenda under Item IV “**m**” [Council Approval to Administer Eastport Broadband Service Survey].

**III. UNFINISHED BUSINESS**

Council President calls for any unfinished business. The City Clerk notes she has none other than recognizing the adjustments made by Councilor Peacock as requested.

**III(a) ACTION from EXECUTIVE SESSION of 2/8/2022**

**MOTION PEACOCK SECOND LAWRENCE (PASSED 5-0)**

To approve the issuance of a Letter of Reprimand to Councilor Ross Lawrence for the violation of Code of Conduct and the Ethics Policy and that it be delivered tonight.

**IV. NEW BUSINESS**

**(a) Island Fellow Update (*Paige Atkinson*)**

Ms. Atkinson addresses the City Council and the public and shares that she is with Island Fellow and is working with the City. She continues to say that there are two projects that they are focusing on.

The first one being the Energy Transition Initiative Partnership Program (a/k/a ETIP). This program provides technical assistance to Eastport, specifically around renewable energy. They are presently participating in this program and working with national labs that evaluates Eastport's current energy usage and how it could be best utilized in terms of renewable technologies specifically to backup power. Presently, there is no backup power to Eastport and their thought is to do a microgrid. She updates that they are still in the data analysis phase. They have been in communication with labs in Colorado as well as Berkley Labs in California and they are assisting with determining what the best solution is for Eastport. Once this information is available, they will share this and also look to us for feedback. She notes that we are still in the early development stage. She calls for questions and there were none.

She then continues with speak to the next project referred to as Municipal Data Cross Sectors of Health (a/k/a MDASH). It has been identified that we would like to improve the homes of the elder residents. Specifically reducing barriers to home improvements and weatherization. She further notes that both the ETIP and the MDASH overlap and the intent is that it will assist with making homes more efficient not only from an energy standpoint but in terms of cost as well. They are considering looking into grant opportunities to fund the work and to try and reduce as many barriers for participation in the project. As they move forward and more information is available or if there is something that is needed from Council, she will bring that to us. She then calls out for questions.

Councilor Ross Lawrence asks if there are prospects for seeking out funding for the MDASH project. Ms. Atkinson responds to say that they are looking to apply for the Community Solutions Grant which is through Maine Housing and they are currently reaching out to different partner organizations to see if they are willing to collaborate with the City. One of the entities is the Maine Council on Aging and another one that they are looking to reach out to is the Washington County Community College for student participation which will allow for hands on experience as well as career opportunities. She notes it is a lot of work to write a grant but they have been told we are a good candidate.

Councilor Floyd “Bub” Andrews asks about the type of improvements that would be offered to assist the elderly. She responds they could assist with things such as installing grab bars, moving furniture, and looking to help with any trip hazards. Although they have not narrowed it down, they would not be able to help with larger scale projects such as roofs, painting/peeling, or cosmetic tasks, nor structural issues.

Dennis Mahar, the City’s Legal Counsel, asks if they have been in touch with Downeast Community Partners and she responds that they have but their services are in high demand. It is their hope that they will be able to provide an alternative for those that cannot wait for services offered by DCP.

Councilor Floyd “Bub” Andrews asks if they have looked into what is known as WHCA and the City’s Legal Counsel confirms that it is now known as Downeast Community Partners.

The City Clerk inquires about “Efficiency Maine”. Ms. Atkinson responds that they are working with them as has recently spoken with them with regard to the contractor aspect which is another high demand resource. As they move forward on the project, they will do an outreach in terms of Efficiency Maine rebates. She strongly encourages everyone to look online to see what is available. She notes that Efficiency Maine has received funding and there are high rebates out there. It is her hope that the project will have a contractor to service the community as a whole. She emphasizes now is the time to look at any weatherization.

City Council thanks Ms. Atkinson for the update and the information.

**(b) Art Walk** (*Joan Lowden*)

Joan Lowden addresses the City Council and the public and explains that she is coming before them for approval of the Art Walk dates for 2022 but also speaks to generating enthusiasm for what they are about. They are trying to generate interest in Eastport and way downeast as an arts destination. She notes that there were three art walk weekends last year in June, July, and August. This year they are scaling back to two weekends but standing by the activities on those dates. They are proposing June 24<sup>th</sup> through June 26<sup>th</sup> and August 5<sup>th</sup> through August 7<sup>th</sup>. She notes that the June weekend last year was very successful. She speaks to the activities and that they will include interactive art activities all over town for all ages; a story slam; live music, buskers, ukalee jam; puppet show; poetry reading; mermaid parade; outdoor contradance with live band and caller. She continues to say that they are formulizing their relationships with people who participated last year. Their partners in art are the Eastport Arts Center, the Tides Institute, the Peavey Memorial Library, and the Downeast Rainbow Alliance & Lamps (from Lubec).

She updates that she was awarded a marketing grant from the Maine Office of Tourism to promote this event as an arts destination and they have an amount of money to devote to promotions and bring people in. They are looking at what activities will bring people here to Eastport. The contradance will bring people in from Washington and Hancock counties. They hope that the Mermaid Parade will become an annual festival. She further notes that she has sponsors lining up and First Bank has confirmed and she is also doing a fund raiser called “Hearts for the Arts” which is online and closes on Sunday. Thus, financing coming through with grants, sponsorships, and fundraising.

She shares about expanding collaboration with the Town of Lubec. They are also looking into reaching out to the Ferry for weekend passes. Artists are on board with the opening of galleries. She speaks to music and other activities and is encouraged and excited of this collaboration. They are in hopes that this will tie in with becoming a regional arts destination.

She also updates that they are working on securing the same supplemental insurance policy as last year for this event.

She continues to say that the dates she is requesting are Friday, June 24<sup>th</sup> in the amphitheater from 4:00 p.m. to 8:00 p.m. plus access on Water Street for buskers and street musicians. They feel this will help people move along the street and to visit the various art galleries. They would like the amphitheater for Saturday, June 25<sup>th</sup> between noon and 9:00 for music, entertainment, info tables, and Sweeties will be sponsoring a top painting with prizes. They would like to utilize the amphitheater until the movie starts and notes that they collaborating with Moonlight Movies in that they are tying in the themes of the event. She then speaks to the new activity referred to as an outdoor contra dance and is asking for the City Hall parking lot from 4:30 p.m. to 7:30 p.m. on Saturday, June 25<sup>th</sup>. She then speaks to the weekend of August, asking for Friday at the amphitheater from 4:00 p.m. to 8:00 p.m. and the amphitheater on Saturday between noon and 9:00. They hope to do a Mermaid Parade which will start at the Eastport Arts Center, down Washington Street to the Mermaid Statue, and with an undersea dance party in the amphitheater and finish with the Moonlight Movie “Splash”.

She closes with anyone who wishes to collaborate with the event, to reach out to them. They support cross community involvement.

The City Manager responds to say that she will do what she can within reason to help with the road closures.

The City Clerk reminds Council of accessibility for the Police Department.

The City Manager asks that those who speak either enunciate or remove masks as there are struggles with hearing via: zoom as to what is being said.

**MOTION** \_\_\_\_\_ **PEACOCK**    **SECOND** \_\_\_\_\_ **OJA**    **(PASSED 5-0)**

To approve the Art Walk event as presented and submitted by Joan Lowden.

**(c) Witches of Eastport/Fall Festival** *(Rayett Cooper)*

Rayett Cooper addresses the Council with a proposal to bring about a Witches of Eastport fall festival. Not only to bring revenue but to also offer up an event for an opportunity of fun. The goal is to help the community grow and they are hopeful the event to be successful. They are looking at the second weekend in October but conscious

so that it does not interfere with Halloween. Councilor Peacock asks if this is the same weekend as Indigenous People's Day as it would be beneficial because it is a long weekend.

**MOTION** LAWRENCE **SECOND** OJA **(PASSED 5-0)**

To give approval to Rayett Cooper to move forward with the proposed event of Witches of Eastport.

**(d) Schedule a Meeting Date w/Charter Committee &  
Downeast Diversity Group**

**MOTION** PEACOCK **SECOND** OJA **(PASSED 4-1)**

*Councilor Lawrence Voted "NO"*

To approve the scheduling of a meeting with the Charter Committee and the Diversity Group for Tuesday, February 15<sup>th</sup>, 2022 at 6:00 p.m. to be held at Shead High School in the Library.

**(e) Council Approval for an Increase of the Notary Fee**

**MOTION** LAWRENCE **SECOND** OJA **(PASSED 5-0)**

To approve an increase to the Notary Fee from \$2.00 per signature to \$10.00 per transaction.

**(f) Scheduling of a Public Hearing for 3/9/2022**

*[Amendment(s) to Zoning Ordinance]*

**MOTION** PEACOCK **SECOND** LAWRENCE **(PASSED 5-0)**

To approve the scheduling of a public hearing for 3/9/2022 on amendment(s) to the City's Zoning Ordinance.

**(g) Scheduling of a Public Hearing for 3/9/2022**

*(Mandatory Shoreland Zoning Ordinance)*

**MOTION** PEACOCK **SECOND** LAWRENCE **(PASSED 5-0)**

To approve the scheduling of a public hearing for 3/9/2022 on a mandatory shoreland zoning ordinance.

**(h) Scheduling of a Public Hearing for 3/9/2022**

*[Amendment(s) to Eastport Shellfish Ordinance]*

**MOTION** PEACOCK **SECOND** LAWRENCE **(PASSED 5-0)**

To approve the scheduling of a public hearing for 3/9/2022 on amendment(s) to Eastport Shellfish Ordinance.

**(i) Scheduling of a Public Hearing for 3/9/2022**

***[Airport Master Plan]***

Councilor Peacock expresses concern about getting through all of Public hearings in one evening and wanted to know if this could go on the April agenda. Council President reminds Council that the airport manager, Steve Trieber, is not present to answer this. The City Manager responds to say that it is presented by Hoyle Tanner.

**MOTION** PEACOCK **SECOND** LAWRENCE **(PASSED 5-0)**

To approve the scheduling of a public hearing for 3/9/2022 on the Airport Master Plan.

**(j) Property Condemnations** *(Assessor, Carolina Castello)*

**115 County Road – Tax Map #H5-0A5-02**

**7 Capen Avenue – Tax Map #H7-0B4-08**

**11 Shackford Street – Tax Map #I7-0D3-10**

The Assessor, Carolina Castello, updates the City Council that she has been working with homeowners to improve the quality of their houses and repairs, etc. Through this process, she informs Council that there are *three* properties that she suggests be condemned.

The first one she speaks to is at 7 Capen Avenue and one that she received information on which turned out to be good news and that is someone is interested in buying it and will be demolishing it with a rebuild. She notes that it has been a nuisance for a long time and very little has been done to it with the exception of securing it. There have been numerous complaints from the neighbor. She has spoken with the interested buyer and it is hopeful this will take place this month.

The second one she speaks to is located at 115 County Road. She updates that the property was bought with the condition that it was to either be fixed or removed. She has spoken with the homeowner and he is aware. She is of the understanding that the realtor does not want to list it until a decision has been made on the condemnation, and if it is listed as it is, it will sit on the market forever. That being said, if the homeowner has to do something about removing the structure, then he could sell it as land. The FY2022 real estate taxes have not been paid.

The third property is located at 11 Shackford Street which they were trying to save. The condemnation is on the back side of the house.

It suffered a complete collapse of the garage in the last storm and it is exposed. In addition, the back “L” is starting to crack which is affecting the front part of the building which they are trying to save. She notes that it is one of the last federal buildings in town. Unfortunately, it is a bit complicated as the owners are in the hospital and that Mr. Libby in Machias has been named the conservator and all the paperwork has been filed with the lawyer and will take direction as to whatever decision we make today. The structure is leaning.

She closes stating that these three properties need immediate attention. She also notes that there are other properties that she is following up on which have projects scheduled for various dates. Her next status update that she intends to bring to Council will address junk yards.

Councilor Peacock and Councilor Lawrence makes reference to the good presentation brought forth.

Councilor Lawrence asks the Assessor what her recommendation is for the property at 11 Shackford Street. She responds to say that it has an “L” that attaches to the main structure and that it is the “L” portion that needs to be condemned which will allow for the opportunity to have the lawyers take care and then the front can be salvaged. Because of the personal situation, the homeowners are unable to take care of this right now. He asks for confirmation that we can condemn a portion of a building and she confirms that is correct. She further responds to say that the condemnation portion get demolished and that the structure and all the debris be removed from the property. If we were not to do a partial condemnation, the structure will be lost.

The City’s legal counsel, Dennis Mahar, comments to say that the process requires the City to hold a public hearing with notification to the homeowners of what is taking place. She informs that none of the owners will attend but that they are aware she is bringing this forth to Council.

**MOTION** \_\_\_\_\_ **PEACOCK**    **SECOND** \_\_\_\_\_ **OJA**    **(PASSED 4-1)**  
*Councilor Lawrence Voted “NO”*

To approve the scheduling of a public hearing for April 13<sup>th</sup>, 2022 on the condemnation of properties. One located at 115 County Road, one at 7 Capen Avenue, and a portion of the structure located at 11 Shackford Street.



**(k) Council Liaison/Manager Updates**

Council President asks the City Manager if she has any updates and she responds that it has been brought to her attention that the City Charter requires the City Manager to submit to the Council a draft proposal of the budget in February at the regularly scheduled meeting. She is appreciative of this being brought to her attention and updates that she is working on it and will have it in draft form by the end of the month.

Councilor Peacock addresses Missy Lawrence and asks when the AOS77 school union meeting is and she confirms it is scheduled for 2/10/2022 at 6:00 p.m. in Pembroke.

Council President Boone speaks as the Council Liaison to the Cemetery Committee and updates that they held a meeting on 2/7/2022 and the committee is moving very quickly in getting things turned around and straightened out and are pleased with their progress. There are a couple of more meetings coming up a workshop, getting things ready for Council on the ordinance, looking at getting building repairs done by April, and things are moving along.

Council President also notes that he and Councilor Peacock have been attending matters on Economic Development and things are moving along there as well.

**(l) Council Approval of Consent Agenda**

**MOTION** \_\_\_\_\_ **PEACOCK**    **SECOND** \_\_\_\_\_ **LAWRENCE (PASSED 5-0)**

To approve the Consent Agenda as submitted with amendments to adding to the Consent Agenda the appointment of Manuel Moreno to the Economic Development Committee and to add the appointment of Paul Terrill to the Parks and Recreation Committee.

**(m) Council Approval to Administer Eastport Broadband**

**Service Survey** (*Councilor Jeanne Peacock*)

Councilor Peacock comments to say that when the City held the information meeting on broadband, that Elaine Abbott who is with the Sunrise Economic Council offered any town or City a free survey. Ms. Abbott has informed that it is available which is reflective of seven minutes and a fifteen question survey monkey which is hopeful

to be put in the upcoming current issue of the press which she understands to be coming out on 2/25/2022. She is asking to have Council approve this survey and that there is no cost and it is a free service.

**MOTION** LAWRENCE **SECOND** OJA **(PASSED 5-0)**

To approve a free survey to be administered regarding the Eastport Broadband Service.

## **V. COUNCIL ISSUES**

There were no issues from the Councilors.

Council President allowed citizens to speak and allotted a 2-minute time limit.

Sarah Gormady from the audience addressed the Council and states that Downeast Diversity & Equity sent a request about recent publication in the Quoddy Tides from Councilor Lawrence and asked for a formal and transparent sanctioning with penalties for Councilor Ross Lawrence following guidelines set forth in Section 2.05(d) of the City Charter and she notes that there was reference that a letter would be delivered to Councilor Lawrence and they would like it to be open and public. She also comments to say that they have received direct threats to members for legal action and they want assurances that no legal action will be taken or threatened against any residents on the basis of their descend or political beliefs by Council members and that the Council attend training this calendar year with the University of Maine for their intro to Diversity, Equity, and Inclusion. She states that she knows that all of Council received a copy of this request and that they were expecting a response from the Council.

Council President Boone responds to say that he is not sure that he can respond to those questions at this time and chooses not to do so.

## **VI. ADJOURN**

**MOTION** LAWRENCE **SECOND** OJA **(PASSED 5-0)TIME: 7:00 p.m.**

To adjourn.